

Town Board Minutes
(Municipal Review Committee)

Meeting
No. 24

Special Meeting

August 1, 2005

Town Board Minutes

August 1, 2005

Meeting No. 24

A joint meeting of the Town Board and the Planning Board of the Town of Lancaster, New York, was held at the Lancaster Town Hall, 21 Central Avenue, Lancaster, New York on the 1st day of August 2005, at 6:30 PM and there were

PRESENT: DANIEL AMATURA, COUNCIL MEMBER
MARK MONTOUR, COUNCIL MEMBER
RONALD RUFFINO, COUNCIL MEMBER
DONNA STEMPIAK, COUNCIL MEMBER
ROBERT GIZA, SUPERVISOR
REBECCA ANDERSON, PLANNING BOARD MEMBER
JOHN GOBER, PLANNING BOARD MEMBER
LAWRENCE KORZENIEWSKI, PLANNING BOARD MEMBER
MICHAEL MYSZKA, PLANNING BOARD MEMBER
MELVIN SZYMANSKI, PLANNING BOARD MEMBER
STANLEY KEYSA, PLANNING BOARD CHAIRMAN

ABSENT: STEVEN SOCHA, PLANNING BOARD MEMBER

ALSO PRESENT: JOHANNA COLEMAN, TOWN CLERK
RICHARD SHERWOOD, TOWN ATTORNEY
JEFFREY SIMME, BUILDING INSPECTOR
ROBERT LABENSKI, TOWN ENGINEER

PURPOSE OF MEETING:

This joint meeting of the Town Board and Planning Board of the Town of Lancaster was held for the purpose of acting as a Municipal Review Committee for one (1) action.

**IN THE MATTER OF THE SEQR REVIEW OF
17± ACRES OF LAND AT 6687, 6691 & 6699 TRANSIT ROAD**

The Municipal Review Committee proceeded with the Long Environmental Assessment Form for 17± acres of land at 6687, 6691 & 6699 Transit Road with an item for item review and discussion of the project impact and magnitude as outlined on the Long Environmental Assessment Form entitled "Part 2 Project Impacts and Their Magnitude" which was provided to each member.

THE FOLLOWING RESOLUTION WAS OFFERED
BY COUNCIL MEMBER STEMPNIAK
WHO MOVED ITS ADOPTION, SECONDED BY
COUNCIL MEMBER RUFFINO, TO WIT:

RESOLVED, that the following Negative Declaration be adopted:

**NOTICE OF DETERMINATION
17± ACRES OF LAND AT 6687, 6691 & 6699 TRANSIT ROAD
NEGATIVE DECLARATION**

PLEASE TAKE NOTICE, that the Town of Lancaster, acting as the designated lead agency under the State Environmental Quality Review Act, has reviewed the following described proposed action, which is an Unlisted action, through its designated Municipal Review Committee, and that committee having found no significant environmental impact relative to the criteria found in 6NYCRR, Part 617.7, the lead agency now issues a Negative Declaration for the purposes of Article 8 of the Environmental Conservation Law in accordance with 617.12.

NAME AND ADDRESS OF LEAD AGENCY

Town of Lancaster
21 Central Avenue
Lancaster, New York 14086
Richard J. Sherwood, Town Attorney
716-684-3342

NATURE, EXTENT AND LOCATION OF ACTION:

The proposed development is of a parcel involving approximately 17± acres.

The location of the premises being reviewed is situate at 6687, 6691 & 6699 Transit Road, Town of Lancaster, County of Erie, New York.

REASONS SUPPORTING DETERMINATION

The lead agency, the Town of Lancaster, through the review of the Municipal Review Committee, which is made up of at least three (3) members of the Town Board of the Town of Lancaster together with at least three (3) members of the Planning Board of the Town of Lancaster, has found the proposed action impacts to be as follows:

1. The proposed action will result in a small to moderate physical change to the project site.
 - construction on land where the depth to the water table is less than three (3) feet
 - construction on land where bedrock ranges from 1 foot to 3½ feet from the ground surfaces
 - construction for more than one year
2. The proposed action will not affect any unique or unusual land forms found on the site.
3. The proposed action will not affect any water body designated as protected.
4. The proposed action will not affect any non-protected existing or new body of water.
5. The proposed action will have a small to moderate impact on surface or ground water quality or quantity.
 - a State Pollution Discharge Elimination System (SPDES) General Permit for Discharge from Construction Activities is required during construction
 - there may be a small to moderate impact on existing groundwater
 - water usage is expected to exceed 20,000 gallons per day
6. The proposed action will not alter drainage flow patterns or surface water runoff.
7. The proposed action will not affect air quality.
8. The proposed action will have a small to moderate impact on threatened or endangered species.
 - Pesticide or herbicide may be applied for lawn care purposes
9. The proposed action will not substantially affect non-threatened or non-endangered species.
10. The proposed action will not affect agricultural land resources.
11. The proposed action will not affect aesthetic resources.
12. The proposed action will not impact any site or structure of historic, pre-historic or paleontological importance.

It is noted that this land was previously developed, disturbed and stripped in the 1940's and 1950's.
13. The proposed action will not affect the quantity or quality of existing or future open spaces or recreational opportunities.
14. The Town of Lancaster has not established a critical environmental area (CEA) pursuant to subdivision 6NYCRR617.14(g), therefore the proposed action will not impact the exceptional or unique characteristics of a critical environmental area (CEA).
15. The proposed action will not affect existing transportation systems.
16. The proposed action will not affect the community's sources of fuel or energy supply.

17. There will not be objectionable odors, noise, or vibration as a result of this proposed action.
18. The proposed action will not affect public health and safety.
19. The proposed action will have a small to moderate impact on the character of the existing community.
 - there will be a small change to the density of land use
 - there will be additional demand for Police & fire services
 - There will be a moderate increase in employment
20. There is not, nor is there likely to be, public controversy related to potential adverse environmental impacts.

s/s _____

SEAL

Robert H. Giza, Supervisor
Town of Lancaster

August 1, 2005

and,

BE IT FURTHER

RESOLVED, that the Supervisor of the Town of Lancaster be and is hereby authorized to execute a "Negative Declaration" Notice of Determination of Non-Significance in this matter, and

BE IT FURTHER

RESOLVED, that the Town Attorney's Office prepare and file a "Negative Declaration" Notice of Determination of Non-Significance in this matter with the petitioner and with all required New York State and Erie County agencies, filing a copy of the letter of transmittal and "Negative Declaration" with the Town Clerk.

The question of the adoption of the foregoing Notice of Determination was duly put to a vote which resulted as follows:

COUNCIL MEMBER AMATURA	VOTED YES
COUNCIL MEMBER MONTOUR	VOTED YES
COUNCIL MEMBER RUFFINO	VOTED YES
COUNCIL MEMBER STEMPNIAK	VOTED YES
SUPERVISOR GIZA	VOTED YES
PLANNING BOARD MEMBER ANDERSON	VOTED YES
PLANNING BOARD MEMBER GOBER	VOTED YES
PLANNING BOARD MEMBER KORZENIEWSKI	VOTED YES
PLANNING BOARD MEMBER MYSZKA	VOTED YES
PLANNING BOARD MEMBER SOCHA	WAS ABSENT
PLANNING BOARD MEMBER SZYMANSKI	VOTED YES
PLANNING BOARD CHAIRMAN KEYSA	VOTED YES

The Notice of Determination was thereupon unanimously adopted.

August 1, 2005

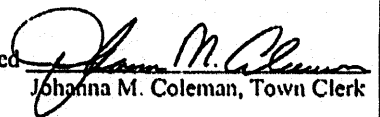
ADJOURNMENT:

**ON MOTION OF PLANNING BOARD MEMBER KORZENIEWSKI AND
SECONDED BY COUNCIL MEMBER AMATURA FOR ADJOURNMENT OF THE
MEETING, which resulted as follows:**

COUNCIL MEMBER AMATURA	VOTED YES
COUNCIL MEMBER MONTOUR	VOTED YES
COUNCIL MEMBER RUFFINO	VOTED YES
COUNCIL MEMBER STEMPNIAK	VOTED YES
SUPERVISOR GIZA	VOTED YES
PLANNING BOARD MEMBER ANDERSON	VOTED YES
PLANNING BOARD MEMBER GOBER	VOTED YES
PLANNING BOARD MEMBER KORZENIEWSKI	VOTED YES
PLANNING BOARD MEMBER MYSZKA	VOTED YES
PLANNING BOARD MEMBER SOCHA	WAS ABSENT
PLANNING BOARD MEMBER SZYMANSKI	VOTED YES
PLANNING BOARD CHAIRMAN KEYSA	VOTED YES

The meeting was adjourned at 7:02 P.M.

Signed


Johanna M. Coleman, Town Clerk



Town Board Minutes

**Meeting
No. 25**



Regular Meeting

August 1, 2005



Town Board Minutes

August 1, 2005

Meeting No. 25

A Regular Meeting of the Town Board of the Town of Lancaster, Erie County, New York, was held at the Town Hall at 21 Central Avenue, Lancaster, New York on the 1st day of August, 2005 at 8:00 P.M. and there were

PRESENT: DANIEL AMATURA, COUNCIL MEMBER
MARK MONTOUR, COUNCIL MEMBER
RONALD RUFFINO, COUNCIL MEMBER
DONNA STEMPIAK, COUNCIL MEMBER
ROBERT GIZA, SUPERVISOR

ABSENT: NONE

ALSO PRESENT: JOHANNA COLEMAN, TOWN CLERK
ROBERT LABENSKI, TOWN ENGINEER
RICHARD SHERWOOD, TOWN ATTORNEY
JEFFREY SIMME, BUILDING INSPECTOR
TERRENCE McCracken, GENERAL CREW CHIEF

PERSONS ADDRESSING TOWN BOARD:

Beutler, Daniel, 26 Tyler Street, spoke to the Town Board on the following matter:

- projects in Town of Cheektowaga & Village of Lancaster.

Chowaniec, Lee, 93 Northwood Drive, spoke to the Town Board on the following matter:

- traffic studies & traffic on Transit Road.

Fronczak, Mike, 3 Woodstream, spoke to the Town Board on the following matters:

- dumping permit at 370 Lake Avenue.
- public improvements in Whispering Pines Subdivision.
- Town Hall restroom renovations.

Symer, Donald, 610 Columbia Avenue, spoke to the Town Board on the following matters:

- sewer Districts #1 & 2
- water service in Columbia Gardens Subdivision.

PRESENTATION OF PREFILED RESOLUTIONS BY COUNCIL MEMBERS:

THE FOLLOWING RESOLUTION WAS OFFERED
BY SUPERVISOR GIZA, WHO
MOVED ITS ADOPTION, SECONDED BY
COUNCIL MEMBER RUFFINO, TO WIT:

RESOLVED, that the minutes of the Regular Meeting of the Town Board held
July 18, 2005 be and are hereby approved.

The question of the adoption of the foregoing resolution was duly put to a vote on
roll call which resulted as follows:

COUNCIL MEMBER AMATURA	VOTED YES
COUNCIL MEMBER MONTOUR	VOTED YES
COUNCIL MEMBER RUFFINO	VOTED YES
COUNCIL MEMBER STEMPIAK	VOTED YES
SUPERVISOR GIZA	VOTED YES

August 1, 2005

File: RMIN (P2)

THE FOLLOWING RESOLUTION WAS OFFERED
BY SUPERVISOR GIZA, WHO
MOVED ITS ADOPTION, SECONDED BY
COUNCIL MEMBER STEMPIAK, TO WIT:

RESOLVED, that the minutes of the Special Meeting of the Town Board held
July 25, 2005 be and are hereby approved.

The question of the adoption of the foregoing resolution was duly put to a vote on
roll call which resulted as follows:

COUNCIL MEMBER AMATURA	VOTED YES
COUNCIL MEMBER MONTOUR	VOTED YES
COUNCIL MEMBER RUFFINO	VOTED YES
COUNCIL MEMBER STEMPIAK	VOTED YES
SUPERVISOR GIZA	VOTED YES

August 1, 2005

File: RMIN (P2)

THE FOLLOWING RESOLUTION WAS OFFERED
BY COUNCIL MEMBER AMATURA, WHO
MOVED ITS ADOPTION, SECONDED BY
COUNCIL MEMBER MONTOUR, TO WIT:

WHEREAS, Nancy Stirling, 370 Lake Avenue, Lancaster, New York 14086 has applied for a Dumping Permit for property situated at 370 Lake Avenue, within the Town of Lancaster, pursuant to Chapter 22-8 of the Code of the Town of Lancaster, and

WHEREAS, the application was referred to the Building Inspector and Town Engineer for review and recommendation, and

WHEREAS, the Building Inspector and Town Engineer have completed their review and by letter dated July 21, 2005 made a formal, favorable recommendation to the Town Board.

NOW, THEREFORE, BE IT

RESOLVED, that Nancy Stirling, 370 Lake Avenue Lancaster, New York 14086 is hereby authorized to dump and dispose of materials outside permitted sanitary landfills within the Town of Lancaster, namely on premises owned by the applicant at 370 Lake Avenue, said dumping to be in strict conformance with the application of the petitioner as filed in the Office of the Town Clerk, and,

BE IT FURTHER

RESOLVED, that this permit is conditioned in accordance with the recommendations of the Town Engineer and Building Inspector as follows:

1. Fill shall consist of hard clay, stones, broken concrete or asphalt. No building demolition material such as wood, asphalt shingles, asbestos tiles, etc. are permitted.
2. The applicant should be aware that if he intends to build on any filled area, the foundation shall be extended to original soil.
3. Access to the site shall be controlled to prevent unauthorized dumping of non-permitted material.
4. Dirt tracked on the road must be cleaned on a daily basis and more often if necessary. The Town of Lancaster Police shall stop operation immediately upon complaint of dirty road.
5. Fill area shall be topsoiled and seeded upon completion of filling.
6. Dumping will be allowed between the hours of 7 A.M. and 8 P.M. Monday through Saturday. No dumping shall be allowed on Sunday.
7. Dust from the site shall also be prevented from migrating off site.
8. The source of the fill material has been identified as inground pool material.
9. Storm runoff shall be directed to the south side of the proposed fill area to the existing ditch.
10. Height of fill shall be no higher than 18" above the grade at the centerline of Lake Avenue.
11. Black silt fences must be set up.

BE IT FURTHER

RESOLVED, that no building permit for the construction of any structure on the SBI premises upon which this dumping permit is issued shall be approved by the Town Building Inspector until such time as the Building Inspector certifies in writing to the Town Board that the conditions enumerated in this resolution have been fully complied with, and

BE IT FURTHER

RESOLVED, that pursuant to Chapter 22-8(D)(6) of the Code of the Town of Lancaster the permit authorization granted herein expires one year from date of this resolution.

The question of the adoption of the following resolution was duly put to a vote on roll call which resulted as follows:

COUNCIL MEMBER AMATURA	VOTED YES
COUNCIL MEMBER MONTOUR	VOTED YES
COUNCIL MEMBER RUFFINO	VOTED YES
COUNCIL MEMBER STEMPNIAK	VOTED YES
SUPERVISOR GIZA	VOTED YES

August 1, 2005

THE FOLLOWING RESOLUTION WAS OFFERED
BY COUNCIL MEMBER RUFFINO, WHO
MOVED ITS ADOPTION, SECONDED BY
COUNCIL MEMBER STEMPNIAK, TO WIT:

WHEREAS, the Highway Superintendent of the Town of Lancaster has requested the purchase of a new John Deere 624J Wheel Loader for the use of the Highway Department, and

WHEREAS, this John Deere 624J Wheel Loader is available from a state bid contract No. P40603 and as a result the requirements of General Municipal Law §103 are not applicable, and

WHEREAS, the Town Board deems it in the public interest to approve the purchase of said Wheel Loader;

**NOW, THEREFORE, BE IT
RESOLVED**, as follows:

1.) The Town Board of the Town of Lancaster hereby approves the purchase of a new John Deere 624J Wheel Loader, as proposed by the Superintendent of Highways of the Town of Lancaster in the sum not to exceed \$104,736 which sum shall be paid with funds available from the bonds authorized April 19, 2004.

2.) The purchase hereinabove shall be from state bid contract No. P40603 for the year 2005 and as such is exempt from the competitive bid requirements of General Municipal Law §103.

The question of the adoption of the foregoing resolution was duly put to a vote on roll call, which resulted as follows:

COUNCIL MEMBER AMATURA	VOTED YES
COUNCIL MEMBER MONTOUR	VOTED YES
COUNCIL MEMBER RUFFINO	VOTED YES
COUNCIL MEMBER STEMPNIAK	VOTED YES
SUPERVISOR GIZA	VOTED YES

August 1, 2005

THE FOLLOWING RESOLUTION WAS OFFERED
BY COUNCIL MEMBER RUFFINO, WHO
MOVED ITS ADOPTION, SECONDED BY
COUNCIL MEMBER MONTOUR, TO WIT:

WHEREAS, the developer has requested the Town Board of the Town of Lancaster accept completed Public Improvements for waterline as per B.C.D. Agreement 03-09 with the Erie County Water Authority within Columbia Gardens Subdivision within the Town of Lancaster, and

WHEREAS, the Town Engineer has inspected the improvements and has recommended the approval thereof, and

WHEREAS, the Town Attorney, by letter to the Town Clerk dated June 2, 2005 has reported his favorable review of all necessary deeds, easements and documents required to be filed for the acceptance of these public improvements.

NOW, THEREFORE, BE IT

RESOLVED, that the completed Public Improvements for an 8" waterline with two hydrants as per B.C.D. Agreement 03-09 within Columbia Gardens Subdivision be and are hereby approved and accepted by the Town Board of the Town of Lancaster and that a hydrant charge should commence with the next billing from the Erie County Water Authority.

The question of the foregoing resolution was duly put to a vote on roll call which resulted as follows:

COUNCIL MEMBER AMATURA	VOTED YES
COUNCIL MEMBER MONTOUR	VOTED YES
COUNCIL MEMBER RUFFINO	VOTED YES
COUNCIL MEMBER STEMPIAK	VOTED YES
SUPERVISOR GIZA	VOTED YES

August 1, 2005

File: rcolumbiagardenspip8105

THE FOLLOWING RESOLUTION WAS OFFERED
BY SUPERVISOR GIZA, WHO MOVED
MOVED ITS ADOPTION, SECONDED BY
COUNCIL MEMBER RUFFINO, TO WIT:

WHEREAS, the Supervisor, by letter dated July 27, 2005, has requested permission to travel to Washington, D.C. on August 16, 2005 through August 17, 2005, and

WHEREAS, he will be meeting with a representative from the U.S. Department of Housing and Urban development for the purpose of seeking funding for the new Police/Court building.

NOW, THEREFORE, BE IT

RESOLVED, that the Supervisor be and is hereby authorized to travel to Washington, D.C. on August 16, 2005 through August 17, 2005, and

BE IT FURTHER

RESOLVED, that expense reimbursement be and is hereby authorized in an amount not to exceed \$700, and

BE IT FURTHER

RESOLVED, that said reimbursement will be made only upon submission of proper documentation and substantiation of expenses, including receipts, to the Accounting Department of the Town of Lancaster.

The question of the adoption of the foregoing resolution was duly put to a vote on roll call which resulted as follows:

COUNCIL MEMBER AMATURA	VOTED YES
COUNCIL MEMBER MONTOUR	VOTED YES
COUNCIL MEMBER RUFFINO	VOTED YES
COUNCIL MEMBER STEMPIAK	VOTED YES
SUPERVISOR GIZA	VOTED YES

August 1, 2005

File: RSENMTGS (P15)

THE FOLLOWING RESOLUTION WAS OFFERED
BY COUNCIL MEMBER AMATURA, WHO
MOVED ITS ADOPTION, SECONDED BY
COUNCIL MEMBER RUFFINO, TO WIT:

WHEREAS, Ted Bednarski, 284 Schwartz Road, Lancaster, New York 14086 has applied for a Dumping Permit for property situated at 284 Schwartz Road, within the Town of Lancaster, pursuant to Chapter 22-8 of the Code of the Town of Lancaster, and

WHEREAS, the application was referred to the Building Inspector and Town Engineer for review and recommendation, and

WHEREAS, the Building Inspector and Town Engineer have completed their review and by letter dated July 26, 2005 made a formal, favorable recommendation to the Town Board.

NOW, THEREFORE, BE IT

RESOLVED, that Ted Bednarski, 284 Schwartz Road, Lancaster, New York 14086 is hereby authorized to dump and dispose of materials outside permitted sanitary landfills within the Town of Lancaster, namely on premises owned by the applicant at 284 Schwartz Road, said dumping to be in strict conformance with the application of the petitioner as filed in the Office of the Town Clerk, and,

BE IT FURTHER

RESOLVED, that this permit is conditioned in accordance with the recommendations of the Town Engineer and Building Inspector as follows:

1. Fill shall consist of hard clay, stones, broken concrete or asphalt. No building demolition material such as wood, asphalt shingles, asbestos tiles, etc. are permitted.
2. The applicant should be aware that if he intends to build on any filled area, the foundation shall be extended to original soil.
3. Access to the site shall be controlled to prevent unauthorized dumping of non-permitted material.
4. Dirt tracked on the road must be cleaned on a daily basis and more often if necessary. The Town of Lancaster Police shall stop operation immediately upon complaint of dirty road. Driveway for hauling fill shall be stoned with #3 or #4 stone for 50' from the edge of Schwartz Road.
5. Fill area shall be topsoiled and seeded upon completion of filling.
6. Dumping will be allowed between the hours of 7 A.M. and 8 P.M. Monday through Saturday. No dumping shall be allowed on Sunday.
7. Dust from the site shall also be prevented from migrating off site.

8. The source of the fill material has been identified as a road reconstruction project.
9. Storm runoff shall be directed to the rear of the property and the roadside ditch. Appropriate swales shall be established along the side property lines.
10. Height of fill shall be no higher than 18" above the grade at the centerline of Schwartz Road.
11. Siltation fence shall be installed along the east bank of the ditch to the rear of the property, along the north property line and along the back side of the roadside ditch as the filling advances.

BE IT FURTHER

RESOLVED, that no building permit for the construction of any structure on the SBL premises upon which this dumping permit is issued shall be approved by the Town Building Inspector until such time as the Building Inspector certifies in writing to the Town Board that the conditions enumerated in this resolution have been fully complied with, and

BE IT FURTHER

RESOLVED, that pursuant to Chapter 22-8(D)(6) of the Code of the Town of Lancaster the permit authorization granted herein expires one year from date of this resolution.

The question of the adoption of the following resolution was duly put to a vote on roll call which resulted as follows:

COUNCIL MEMBER AMATURA	VOTED YES
COUNCIL MEMBER MONTOUR	VOTED YES
COUNCIL MEMBER RUFFINO	VOTED YES
COUNCIL MEMBER STEMPIAK	VOTED YES
SUPERVISOR GIZA	VOTED YES

August 1, 2005

File: RPERMIT.DUM(3-4)

THE FOLLOWING RESOLUTION WAS OFFERED
BY SUPERVISOR GIZA, WHO
MOVED IT'S ADOPTION, SECONDED BY
COUNCIL MEMBER AMATURA, TO WIT:

WHEREAS, §1660 (18) Vehicle and Traffic Law permits the Town to designate the location of stop signs and no-passing zones affecting town roads outside of the Villages of Lancaster and Depew, and

WHEREAS, the Town Board of the Town of Lancaster deems it in the public interest to make certain amendments to the Town Ordinance entitled, "VEHICLE AND TRAFFIC ORDINANCE OF THE TOWN OF LANCASTER, COUNTY OF ERIE, STATE OF NEW YORK, DESIGNATED AS CHAPTER 46 OF THE CODE OF THE TOWN OF LANCASTER",

NOW, THEREFORE, BE IT

RESOLVED, that pursuant to Section 130 of the Town Law of the State of New York, a public hearing on proposed amendments to the Vehicle & Traffic Ordinance, Chapter 46 of the Code of the Town of Lancaster, County of Erie and State of New York, will be held at the Town Hall, 21 Central Avenue, Lancaster, New York, on the 15th day of August 2005, at 8:30 o'clock P.M., Local Time, and that Notice of the Time and Place of such hearing be published on or before August 4, 2005, in the Lancaster Bee, the Official Newspaper, being a newspaper of general circulation in said Town, and be posted on the Town Bulletin Board, which Notice shall be in the form attached hereto and made a part hereof.

The question of the adoption of the foregoing resolution was duly put to a vote on roll call which resulted as follows:

COUNCIL MEMBER AMATURA	VOTED YES
COUNCIL MEMBER MONTOUR	VOTED YES
COUNCIL MEMBER RUFFINO	VOTED YES
COUNCIL MEMBER STEMPNIK	VOTED YES
SUPERVISOR GIZA	VOTED YES

August 1, 2005

File: rvtordchpt46stopsigns705

**LEGAL NOTICE
PUBLIC HEARING
AMENDMENT TO VEHICLE & TRAFFIC ORDINANCE
TOWN OF LANCASTER, COUNTY OF ERIE, STATE OF NEW YORK
DESIGNATED AS CHAPTER 46 OF CODE OF TOWN OF LANCASTER**

LEGAL NOTICE IS HEREBY GIVEN that pursuant to the Town Law of the State of New York, and pursuant to a resolution of the Town Board of the Town of Lancaster, adopted on the 1st day of August, 2005, the said Town Board will hold a Public Hearing on the 15th day of August, 2005, at 8:30 o'clock P.M., Local Time, at the Town Hall, 21 Central Avenue, Lancaster, New York, to hear all persons upon the following amendments to the Vehicle and Traffic Ordinance of the Town of Lancaster, Erie County, New York, designated as Chapter 46 of the Code of said Town:

CHAPTER 46

**Article VIII, STOP INTERSECTIONS; NON-INTERSECTION
STOPS; YIELD INTERSECTIONS
46-8.1 Stop Intersections designated, is hereby amended by adding
thereto the following:**

WOODGATE SUBDIVISION

<u>STREET NAME</u>	<u>INTERSECTING STREET</u>	<u>SIGN LOCATION</u>
Woodgate Drive	Old Post Road	N.E. Corner
Woodgate Drive	Old Post Road	S.W. Corner

and

WHISPERING PINES SUBDIVISION

<u>STREET NAME</u>	<u>INTERSECTING STREET</u>	<u>SIGN LOCATION</u>
Americo Court	Aurora Street	N.E. Corner

Full opportunity to be heard will be given to any and all citizens and all parties in interest.

**TOWN BOARD OF THE
TOWN OF LANCASTER**

By: **JOHANNA M. COLEMAN**
Town Clerk

August 1, 2005

File: rvtordchpt46stpsigns705

THE FOLLOWING RESOLUTION WAS OFFERED
BY COUNCIL MEMBER STEMPIAK WHO
MOVED ITS ADOPTION, SECONDED BY
COUNCIL MEMBER RUFFINO, TO WIT:

WHEREAS, THD Group, 4455 Transit Road, Suite 2B, Williamsville, New York 14221, has submitted a Site Plan prepared by Wm. Schutt & Associates, P.C., dated June 21, 2005 and received June 21, 2005 for the proposed construction of a new 3,080 square foot coffee and pastries restaurant and drive through, (Tim Hortons) located on 6687 Transit Road in the Town of Lancaster, New York, and

WHEREAS, the Planning Board has reviewed the plan and at its meeting July 6, 2005 has recommended approval of this project, and

WHEREAS, a SEQR Review of this project was held August 1, 2005 and a negative declaration was issued at that time;

NOW, THEREFORE, BE IT

RESOLVED, that the Town Board of the Town of Lancaster hereby approves the Site Plan submitted by THD Group, and prepared by Wm. Schutt & Associates, P.C., dated June 21, 2005 and received June 21, 2005 for the proposed construction of a new 3,080 square foot coffee and pastries restaurant and drive through, (Tim Hortons) located on 6687 Transit Road in the Town of Lancaster, New York.

The question of the adoption of the foregoing resolution was duly put to a vote on roll call, which resulted as follows:

COUNCIL MEMBER AMATURA	VOTED YES
COUNCIL MEMBER MONTOUR	VOTED YES
COUNCIL MEMBER RUFFINO	VOTED YES
COUNCIL MEMBER STEMPIAK	VOTED YES
SUPERVISOR GIZA	VOTED YES

August 1, 2005

File: rsptimhortonstransitroad805

THE FOLLOWING RESOLUTION WAS OFFERED
BY COUNCIL MEMBER STEMPNIAK, WHO
MOVED ITS ADOPTION, SECONDED BY
COUNCIL MEMBER MONTOUR, TO WIT:

WHEREAS, Pleasant Meadows LLC, 2730 Transit Road, West Seneca, New York 14224 has heretofore applied for approval of a single family residential subdivision to be known as "Pleasant Meadows Subdivision" located on the north side of Walden Avenue, south of Pleasant View Drive between Central Avenue and Stony Road in the Town of Lancaster, and

WHEREAS, the Planning Board and Town Engineer have given their approval to the filing of this Subdivision, and

WHEREAS, the Town acting as lead agency has completed an environmental review in conformance with SEQR (State Environmental Quality Review) regulations, and

WHEREAS, the Town Board of the Town of Lancaster has duly reviewed and considered the proposed subdivision;

NOW, THEREFORE, BE IT

RESOLVED, that the Town Board of the Town of Lancaster hereby approves the proposed single family residential subdivision plat as prepared by Pratt & Huth Associates, LLP dated and filed with the Town Clerk on July 18, 2005 for the subdivision to be known as "Pleasant Meadows Subdivision" for filing in the Erie County Clerk's office based upon the following conditions:

1. Amendment of final plat for sublots 72, 73 & 74 - for a protective covenant notation and filing with each of these deeds regarding the wetlands boundary.
2. More monumentation of adjacent buffer areas on subplot 57.

BE IT FURTHER

RESOLVED, that The Town Clerk be and is hereby directed to properly endorse the approval of the Town Board of the Town of Lancaster on the linen copy thereof.

The question of the adoption of the foregoing resolution was duly put to a vote on roll call, which resulted as follows:

COUNCIL MEMBER AMATURA	VOTED YES
COUNCIL MEMBER MONTOUR	VOTED YES
COUNCIL MEMBER RUFFINO	VOTED YES
COUNCIL MEMBER STEMPNIAK	VOTED YES
SUPERVISOR GLZA	VOTED YES

August 1, 2005

File: rpleasantmeadowsfinalplatapproval805

THE FOLLOWING RESOLUTION WAS OFFERED
BY COUNCIL MEMBER STEMPIAK, WHO
MOVED ITS ADOPTION, SECONDED BY
COUNCIL MEMBER AMATURA, TO WIT:

WHEREAS, Forbes Homes, Inc., 2635 Millersport Highway, Getzville, New York 14068 has heretofore applied for approval of a single family residential subdivision to be known as "Country Club Gardens" located on the north side of Broadway, east side of Pavement Road in the Town of Lancaster, and

WHEREAS, the Planning Board and Town Engineer have given their approval to the filing of this Subdivision, and

WHEREAS, the Town acting as lead agency has completed an environmental review in conformance with SEQR (State Environmental Quality Review) regulations, and

WHEREAS, the Town Board of the Town of Lancaster has duly reviewed and considered the proposed subdivision;

**NOW, THEREFORE, BE IT
RESOLVED**, as follows:

1. That the Town Board of the Town of Lancaster hereby approves the proposed single family residential subdivision plat as prepared by Greenman-Pedersen, Inc. Consulting Engineers, dated and filed with the Town Clerk on July 18, 2005 for the subdivision to be known as "Country Club Gardens Subdivision" for filing in the Erie County Clerk's office.
2. That the Town Clerk be and is hereby directed to properly endorse the approval of the Town Board of the Town of Lancaster on the linen copy thereof.

The question of the adoption of the foregoing resolution was duly put to a vote on roll call, which resulted as follows:

COUNCIL MEMBER AMATURA	VOTED YES
COUNCIL MEMBER MONTOUR	VOTED YES
COUNCIL MEMBER RUFFINO	VOTED YES
COUNCIL MEMBER STEMPIAK	VOTED YES
SUPERVISOR GIZA	VOTED YES

August 1, 2005

File: rcountryclubgardensfinalplatapproval805

THE FOLLOWING RESOLUTION WAS OFFERED
BY COUNCIL MEMBER STEMPIAK, WHO
MOVED ITS ADOPTION, SECONDED BY
COUNCIL MEMBER MONTGOMERY, TO WIT:

WHEREAS, a Public Hearing was held on the 20th day of June, 2005, on the petition of Zarembo Group LLC/Fred Hanania, for the rezone of 4.549 acres of property located at 6691 and 6699 Transit Road, in the Town of Lancaster, New York from a General Business (GB) to a Commercial and Motor Service (CMS), and

WHEREAS, the Planning Board of the Town of Lancaster at its meeting held June 1, 2005, recommended approval of the rezone with certain conditions:

- 1) A berm to be constructed upon the east line of property owned by or to be owned by Progressive with landscaping provided as a buffer between Progressive property and adjoining residential area.
- 2) No automobile repairs to be done on site.
- 3) Upon completion of construction and issuance of a certificate of occupancy, the East building shall be used as a Progressive insurance claims facility/office.
- 4) Upon completion of construction and issuance of a certificate of occupancy, a portion of the west building shall be used as an Enterprise automobile rental facility.
- 5) Site plan shall show an oil/water separator with a maintenance plan.
- 6) The site shall not be used for warehousing and storage services, as defined in Section 50-20 (1) (e) of the Zoning Code.
- 7) The site shall not be used for gasoline service stations, as defined in Section 50-20 (1) (h) of the Zoning Code.
- 8) The site shall not be used for motor vehicle washings, as defined in Section 50-20 (1) (h) of the Zoning Code, except for the washing of motor vehicles as an incidental use on site, but under no circumstances shall any vehicle washing facilities be used as a primary use or a commercial use open to the general public.
- 9) No fueling facility, either as a primary use or an incidental use, shall be present on site.
- 10) Fencing shall not be chain link and shall not contain barbed wire.
- 11) No damaged vehicles to be stored on site for a period of more than one (1) week, however, every effort shall be made to have damaged vehicles removed within forty-eight (48) hours.

WHEREAS, a SEQR review was completed on the proposed rezone and project on August 1, 2005 and a Negative Declaration issued, and

WHEREAS, a Notice of said Hearing had been duly published and posted, and

WHEREAS, in accordance with Section 239 (m) of the General Municipal Law of the State of New York, the Erie County Department of Planning has reviewed such application for rezone and has no objection with respect thereto;

NOW, THEREFORE, BE IT

RESOLVED, as follows:

1. That the Zoning Ordinance and Zoning Map of the Town of Lancaster is hereby amended and changed so that the real property hereinafter described is changed from a General Business (GB) to a Commercial and Motor Service (CMS):

ALL THAT TRACT OR PARCEL OF LAND, situate in the Town of Lancaster, County of Erie and State of New York, being part of Lot No. 12, Section 12, Township 11, and Range 6 of the Holland Land Company's Survey, bounded and described as follows:

COMMENCING at a point in the west line of Lot 12, also being the centerline of Transit Road, distant 1018.0 feet southerly from the northwest corner of said Lot 12 as measured along the west line of Lot 12: Thence easterly along a line parallel with the north line of said Lot 12 a distance of 267.5 feet to the true Point of Beginning;

THENCE continuing easterly along a line parallel with the north line of said Lot 12 a distance of 825.44 feet;

THENCE southerly along a line parallel with the east line of Lot 12 a distance of 208.0 feet;

THENCE westerly along a line parallel with the north line of said Lot 12 a distance of 102.95 feet;

THENCE southerly and perpendicular to the previously mentioned course a distance of 37.0 feet;

THENCE westerly along a line perpendicular to the previously mentioned course and parallel with the north line of said Lot 12 a distance of 719.83 feet;

THENCE northerly a distance of 245.04 feet to the point or place of beginning, containing 4.549 acres more or less.

That said Ordinance Amendment be added in the minutes of the meeting of the Town Board of the Town of Lancaster held on the 1st day of August, 2005;

1. That a certified copy thereof be published in the Lancaster Bee, on or before the 4th day of August, 2005;

2. That Affidavits of Publication be filed with the Town Clerk; and

3. That a certified copy of this resolution be furnished to the Erie County Department of Planning.

The question of the adoption of the foregoing resolution was duly put to a vote on roll call, which resulted as follows:

COUNCIL MEMBER AMATURA	VOTED YES
COUNCIL MEMBER MONTOR	VOTED YES
COUNCIL MEMBER RUFFINO	VOTED YES
COUNCIL MEMBER STEMPNIAK	VOTED YES
SUPERVISOR GIZA	VOTED YES

August 1, 2005

File: rezuneprogresaiwandenterprise606a

**LEGAL NOTICE
NOTICE OF ADOPTION OF AMENDMENT
ZONING ORDINANCE, TOWN OF LANCASTER
6691 AND 6699 TRANSIT ROAD**

LEGAL NOTICE IS HEREBY GIVEN that the Zoning Ordinance of the Town of Lancaster is hereby amended and the Zoning Map of the said Town is hereby changed so that the real property hereinafter described is changed from a General Business (GB) to a Commercial and Motor Service (CMS):

ALL THAT TRACT OR PARCEL OF LAND, situate in the Town of Lancaster, County of Erie and State of New York, being part of Lot No. 12, Section 12, Township 11, and Range 6 of the Holland Land Company's Survey, bounded and described as follows:

COMMENCING at a point in the west line of Lot 12, also being the centerline of Transit Road, distant 1018.0 feet southerly from the northwest corner of said Lot 12 as measured along the west line of Lot 12: Thence easterly along a line parallel with the north line of said Lot 12 a distance of 267.5 feet to the true Point of Beginning;

THENCE continuing easterly along a line parallel with the north line of said Lot 12 a distance of 825.44 feet;

THENCE southerly along a line parallel with the east line of Lot 12 a distance of 208.0 feet;

THENCE westerly along a line parallel with the north line of said Lot 12 a distance of 102.95 feet;

THENCE southerly and perpendicular to the previously mentioned course a distance of 37.0 feet;

THENCE westerly along a line perpendicular to the previously mentioned course and parallel with the north line of said Lot 12 a distance of 719.83 feet;

THENCE northerly a distance of 245.04 feet to the point or place of beginning, containing 4.549 acres more or less.

August 1, 2005

**STATE OF NEW YORK :
COUNTY OF ERIE : ss:
TOWN OF LANCASTER :**

THIS IS TO CERTIFY that I, Johanna M. Coleman, Town Clerk of the Town of Lancaster, in said County of Erie, have compared the foregoing copy of an Ordinance on the 1st day of August 2005 and that the same is a true and correct copy of said original, and of the whole thereof.

IN WITNESS WHEREOF, I have hereunto signed my hand and affixed the Seal of said Town this 1st day of August, 2005.

(S E A L)

Johanna M. Coleman, Town Clerk

THE FOLLOWING RESOLUTION WAS OFFERED
BY SUPERVISOR GIZA, WHO MOVED ITS
ADOPTION, SECONDED BY COUNCIL
MEMBER RUFFINO, TO WIT:

WHEREAS, ERDMAN ANTHONY & ASSOCIATES, 8608 Main Street, Buffalo, New York , Engineer for the Town Hall restroom improvements, has submitted Change Order No. 1 in the amount of \$4,210 to the Town Board for their approval, and,

WHEREAS, this change order is necessary because there were unanticipated additional design services, which resulted in additional work to complete installation of the improvements.

NOW, THEREFORE, BE IT

RESOLVED, that the Town Board of the Town of Lancaster hereby approves Change Order No. 1 to ERDMAN ANTHONY & ASSOCIATES, 8608 Main Street, Buffalo, New York , and

BE IT FURTHER

RESOLVED, that the Supervisor is hereby authorized to execute these change orders on behalf of the Town of Lancaster.

The question of the adoption of the foregoing resolution was duly put to a vote on roll call which resulted as follows:

COUNCIL MEMBER AMATURA	VOTED YES
COUNCIL MEMBER MONTOUR	VOTED YES
COUNCIL MEMBER RUFFINO	VOTED YES
COUNCIL MEMBER STEMPIAK	VOTED YES
SUPERVISOR GIZA	VOTED YES

August 1, 2005

File: RCHANGE.ORD (P5)

THE FOLLOWING RESOLUTION WAS OFFERED
BY SUPERVISOR GIZA, WHO
MOVED ITS ADOPTION, SECONDED BY
COUNCIL MEMBER STEMPIAK, TO WIT:

WHEREAS, the Town Board has received a proposal from URS Corporation, 77 Goodell Street, Buffalo, New York 14203 to provide engineering services required for Town of Lancaster Sewer Districts No. 1 and No. 2 Facilities Plan for evaluation of the wastewater collection system, and

WHEREAS, the Town Board has reviewed the proposal submitted and deems it in the public interest to engage URS Corporation, 77 Goodell Street, Buffalo, New York 14203 to provide the engineering services required for Town of Lancaster Sewer Districts No. 1 and No. 2 Facilities Plan for evaluation of the wastewater collection system for the fixed fee in the sum of \$126,343 as set forth in the proposal from URS Corporation;

NOW, THEREFORE, BE IT

RESOLVED, that the Town Board of the Town of Lancaster hereby authorizes the Supervisor of the Town of Lancaster to enter into an agreement with URS Corporation to provide engineering services required for Town of Lancaster Sewer Districts No. 1 and No. 2 Facilities Plan for evaluation of the wastewater collection system for the fixed fee in the sum of \$126,343 as set forth in the proposal from URS Corporation.

The question of the adoption of the foregoing resolution was duly put to a vote on roll call, which resulted as follows:

COUNCIL MEMBER AMATURA	VOTED YES
COUNCIL MEMBER MONTOUR	VOTED YES
COUNCIL MEMBER RUFFINO	VOTED YES
COUNCIL MEMBER STEMPIAK	VOTED YES
SUPERVISOR GIZA	VOTED YES

August 1, 2005

THE FOLLOWING RESOLUTION WAS OFFERED
BY SUPERVISOR GIZA, WHO MOVED ITS
ADOPTION, SECONDED BY COUNCIL
MEMBER MONTOUR, TO WIT:

RESOLVED, that the following Audited Claims be and are hereby ordered paid from
their respective accounts as per abstract to be filed in the Office of the Town Clerk by the Director
of Administration and Finance, to wit:

Claim No. 16458 to Claim No. 16707 Inclusive

Total amount hereby authorized to be paid: \$432,516.94

The question of the foregoing resolution was duly put to a vote on roll call which
resulted as follows:

COUNCIL MEMBER AMATURA	VOTED YES
COUNCIL MEMBER MONTOUR	VOTED YES
COUNCIL MEMBER RUFFINO	VOTED YES
COUNCIL MEMBER STEMPIAK	VOTED YES
SUPERVISOR GIZA	VOTED YES

August 1, 2005

File: Relains

THE FOLLOWING RESOLUTION WAS OFFERED
BY COUNCIL MEMBER STEMPNIAK, WHO
MOVED ITS ADOPTION, SECONDED BY
COUNCIL MEMBER RUFFINO, TO WIT:

RESOLVED that the following Building Permit applications be and are hereby reaffirmed:

CODES:

(SW) = Sidewalks as required by Chapter 12-1B. of the Code of the Town Lancaster are waived for this permit.

(CSW) = Conditional sidewalk waiver.

(V/L) = Village of Lancaster

NEW PERMITS:

13068	North Forest Properties	2801 Wehrle Dr	Er. Sign-Wall	
13069	North Forest Properties	2813 Wehrle Dr	Er. Sign-Wall	
13070	Allen, David	185 Schwartz Rd	Er. Deck	
13071	Aqua Systems of WNY	6 Chestnut Corner	Inst. In-Grnd Sprinkler	
13072	Heritage Homebuilders	18 Ronald Dr	Er. Res. Add.	
13073	Iroquois Fence Inc	35 Sussex Ln	Er. Fence	
13074	Gary Pools Inc	15 Michael's Walk	Er. Pool-Abv Grnd	
13075	Dymond Enterprises	6187 Broadway	Er. Pool-Abv Grnd	
13076	Kozlowski, Kevin	51 Michael Anthony	Er. Fence	
13077	Kozlowski, Kevin	51 Michael Anthony	Er. Deck	
13078	Mays, Ronald	511 Erie St	Er. Pool-Abv Grnd	
13079	Fenik, Brian	5 Broadmoor Ct	Er. Shed	
13080	Avalon Services	492 Aurora St	Er. Pool-Abv Grnd	
13081	Creative Fence	161 Nathan's Trl	Er. Fence	
13082	Majestic Pools Inc	161 Nathan's Trl	Er. Pool-In Grnd	
13083	A J Roth Construction	628 Harris Hill Rd	Er. Garage	
13084	Dymond Enterprises	10 Cobblestone Ct	Er. Pool-Abv Grnd	
13085	Duro-Shed Inc	14 Arrow Trl	Er. Shed	
13086	Randaccio Builders	3 Beatrix Cir	Er. Dwlg.-Sin.	
13087	Marrano/Marc Equity	16 Avian Way	Er. Dwlg.-Sin.	
13088	Expert Fence Inc	69 Stony Brook Dr	Er. Fence	
13089	Schmitt's Garage Inc	5255 Genesee St	Er. Sign-Wall	
13090	Lucas Custom Fence	1700 Como Park Blvd	Er. Fence	
13091	Bunyan, Mark	1158 Townline Rd	Er. Deck	
13092	Colley's Pool Sales Inc	21 Cambridge Ct	Er. Pool-In Grnd	
13093	Colley's Pool Sales Inc	21 Cambridge Ct	Er. Fence	
13094	Colley's Pool Sales Inc	29 Cedar Brook Dr	Er. Pool-In Grnd	
13095	Colley's Pool Sales Inc	29 Cedar Brook Dr	Er. Fence	
13096	City Fence Inc	29 Charlton Pl	Er. Fence	
13097	McGuire, Thomas	21 Grant St	Inst. Doors	(V/L.)
13098	Palumbo, Daniel	24 Brunck Rd	Er. Res. Add.	

13099	Felker, Helena	19 Creekwood Dr	Er. Fence
13100	Forbes Homes Inc	96 Kennedy Ct	Er. Dwlg.-Sin.
13101	Bosse, William	37 Brunck Rd	Er. Dwlg.-Sin.
13102	Mordeno Construction	5 Ryan St	Er. Dwlg.-Sin.
13103	The Pool Works	770 Townline Rd	Er. Pool-Abv Grnd
13104	Tucker Homes Inc	3 Chestnut Comer	Er. Dwlg.-Sin.
13105	Dymond Enterprises	49 Cambria St	Er. Pool-Abv Grnd (V/L)
13106	Iroquois Fence Inc	9 Beatrix Cir	Er. Fence
13107	Rich Pools	15 Biscayne Dr	Er. Pool-Abv Grnd
13108	Nowak, Kazimierz	122 Richmond Ave	Er. Fence (V/L)
13109	Dymond Enterprises	8 C St	Er. Pool-Abv Grnd
13110	Duro-Shed Inc	174 Enchanted Forest	Er. Shed
13111	Kriegbaum, Marlene	6466 Broadway	Er. Shed
13112	Majestic Pools Inc	46 Gale Dr	Er. Pool-In Grnd
13113	Wesolowski, Michael	11 Thomas Dr	Er. Shed
13114	Active Fence Inc	535 Aurora St	Er. Fence
13115	Garland, Deborah	2 Sherwood Rd	Er. Deck (V/L)
13116	Capital Fence Co Inc	11 Apple Blossom Blvd	Er. Fence
13117	Duro-Shed Inc	223 Nathan's Trl	Er. Shed
13118	Transit-Rehm Assoc.	6363 Transit Rd	Er. Comm. Alt.
13119	Premier Fence	78 Woodlawn Ave	Er. Fence (V/L)

BE IT FURTHER

RESOLVED, that the Building Permit Applications herein coded (SW) for sidewalk waiver be and are hereby reaffirmed with a waiver of the Town Ordinance requirement for sidewalks, and

BE IT FURTHER

RESOLVED, that the Building Permit Applications herein coded (CSW) for conditional sidewalk waiver be and are hereby reaffirmed with a waiver of the Town Ordinance required for sidewalks, however, the waiver is granted upon the expressed condition that the Town of Lancaster, at any future date, reserves the right to order sidewalk installation at the expense of the property owner.

The question of the adoption of the following resolution was duly put to a vote on roll call which resulted as follows

COUNCIL MEMBER AMATURA	VOTED YES
COUNCIL MEMBER MONTOUR	VOTED YES
COUNCIL MEMBER RUFFINO	VOTED YES
COUNCIL MEMBER STEMPNIAK	VOTED YES
SUPERVISOR GIZA	VOTED YES

August 1, 2005

File: Rbldg2

COMMUNICATIONS & REPORTS:

362. Town of Marilla to Town Board -
Notice of Public Hearing to be held July 14, 2005 regarding proposed Local Law No. 2 of the Year 2005 - "Amendment to the Zoning Law - Flat Lots". DISPOSITION = Received & Filed
363. Highway Superintendent to Planning Board Chairman -
Notice of no concerns regarding proposed Honda Power Center, Walden Avenue. DISPOSITION = Planning Committee
364. Town of Marilla to Town Board -
Transmittal of resolution regarding Pension Plan Reform. DISPOSITION = Received & Filed
365. Captain Richard M. Zuppelli to Supervisor -
Request ordinance to place stop signs at N.W. and N.E. corners of Woodgate and Old Post Road. DISPOSITION = Public Hearing 8/15/05
366. General Crew Chief to Planning Board, Council Members Montour, Ruffino, & Stempniak -
Notice of approval from Town Forestry Department regarding site plans for Country Club Gardens Subdivision and Pleasant Meadows Subdivision. DISPOSITION = Planning Committee
367. United Way Campaign to Supervisor -
Notice of meeting to be held at The Buffalo Club, July 27, August 3 and 10, 2005 at 8:30 A.M. regarding 2005 United Way Campaign. DISPOSITION = Received & Filed
368. NYS DOT to Supervisor -
Copy of "Determination of No Significant Effect" regarding proposed reconstruction of Transit Road from Aero Drive to Main Street. DISPOSITION = Planning Committee
369. General Crew Chief to Planning Board, Council Members Montour, Ruffino, & Stempniak -
Notice of approval from the Town Forestry Department regarding proposed Larkspur East Patio Homes Subdivision, Pleasant Meadows Patio Homes Subdivision, and Honda Power Center site plans. DISPOSITION = Planning Committee
370. George E. Patacki, NYS Governor to Town Board -
Notice of revisions to proposed Great Lakes Water Management Agreements. DISPOSITION = Received & Filed
371. Great Lakes United to Town Board -
Notice of public hearing to be held Thursday, July 28, 2005, 7:00 PM in Olcott, N.Y. Fire Hall regarding management plan for hydropower dam on St. Lawrence River. DISPOSITION = Received & Filed
372. George and Joyce Krug to Supervisor, Town Board -
Concerns regarding proposed Heritage Trail. DISPOSITION = General Crew Chief
373. Town of Clarence to Supervisor -
Transmittal of resolution regarding NYS Thruway tolls and toll barriers in Western New York. DISPOSITION = Received & Filed
374. Highway Superintendent to Planning Board Chairman -
Notice of concern regarding site plan for Larkspur East Patio Homes, east of North Maple Drive. DISPOSITION = Planning Committee
375. Highway Superintendent to Town Board -
Request resolution for state contract purchase new Wheel Loader. DISPOSITION = Resolution 8/1/05
376. Town Clerk to Various News Media -
Notice of special meeting of Town Board held Monday, July 25, 2005 at 4:00 P.M. DISPOSITION = Received & Filed

377. Planning Board Chairman to Planning Board, Town Board, Town Engineer, Deputy Town Attorney, Highway Superintendent, Building Inspector -
Draft copy of minutes of meeting held July 20, 2005. DISPOSITION = Received & Filed
378. Planning Board to Town Board -
Recommend approval of sketch plan for Larkspur East Patio Homes, E. of North Maple; conditions noted. DISPOSITION = Planning Committee
379. Planning Board to Town Board -
Tabled review of sketch plan for Pleasant Meadows Patio Homes. DISPOSITION = Received & Filed
380. Planning Board to Town Board -
Recommend approval of site plan for Honda Power Center/Auto Auction Facility, Walden Avenue; conditions noted. DISPOSITION = Planning Committee
381. Town of Cheektowaga to Town Clerk -
Solicitation for Lead Agency Designation regarding proposed Murtha Jewelers, 5136 Transit Road. DISPOSITION = Received & Filed
382. Town of Cheektowaga to Town Clerk -
Solicitation for Lead Agency Designation regarding proposed Sports Rehab Physical Therapy Clinic, 5102 Transit Road. DISPOSITION = Received & Filed
383. Erie County Department of Public Works Division of Highways to Greenman-Pederson, Inc.
Comments and concerns regarding proposed Country Club Gardens Subdivision, N.E. corner Pavement Road and Broadway. DISPOSITION = Planning Committee
384. NYS DEC to Town Attorney -
Notification of Lead Agency Designation regarding proposed Tim Horton's Restaurant, Transit Road; concerns noted. DISPOSITION = Planning Committee
385. Supervisor to Town Board -
Request permission and travel expenses for travel to Washington, D.C. to seek funding for new police-court building. DISPOSITION = Resolution 8/1/05
386. Town Engineer, Building Inspector to Town Board -
Recommend issuance of dumping permit for 284 Schwartz Road. DISPOSITION = Resolution 8/1/05
387. Erie County Department of Environment and Planning to Town Board -
Transmittal of quarterly report of Erie County Community Development Consortium. DISPOSITION = Received & Filed
388. Hopkins, Garas, Sorgi, PLLC to NYS DOT -
Comments regarding peak hour traffic projection of 17 acre parcel on Transit Road, N. of Freeman Drive. DISPOSITION = Planning Committee
389. Board of Managers, Sewer Districts No. 1, 4, & 5 to Town Board -
Minutes of budget meeting held June 22, 2005. DISPOSITION = Received & Filed
390. Town of Colden to Town Board -
Transmittal of resolution regarding NYS Thruway tolls and toll barriers in Western New York. DISPOSITION = Received & Filed
391. American Ref-Fuel to Town Board -
Notice of price adjustment effective January 1, 2006. DISPOSITION = Director of Administration & Finance
392. Planning Board Chairman to Town Clerk -
Notice of corrected Dodge Report regarding proposal for 4745 William Street. DISPOSITION = Planning Committee
393. Erie County Department of Health to Town Board -
Notice of Wildlife Rabies Vaccine Program to commence in Erie County. DISPOSITION = Received & Filed

394. Captain Riccardo M. Zuppelli to Supervisor -
Request ordinance to place stop sign at N.E. corner of Americo Court and Aurora Street.
DISPOSITION = Public Hearing 8/15/05
395. Erie County Department of Public Works to Greenman-Pedersen, Inc. -
Comments regarding storm water drainage for proposed Country Club Gardens
Subdivision. DISPOSITION = Planning Committee
396. NYS DOT to Town Attorney -
Notice of Lead Agency Designation regarding proposed rezone of 6691 & 6699 Transit
Road; comments noted. DISPOSITION = Planning Committee
397. Town Attorney to Town Board, Planning Board, Building Inspector, Town Engineer, Town
Clerk -
Notice of SEQR meeting to be held Monday, August 1, 2005, 6:30 PM regarding
proposed development for 6687, 6691, and 6699 Transit Road. DISPOSITION =
Received & Filed
398. Town Clerk to Various News Media -
Notice of SEQR meeting to be held Monday, August 1, 2005, 6:30 PM regarding
proposed development for 6687, 6691, and 6699 Transit Road. DISPOSITION =
Received & Filed
399. Erie County Department of Environment & Planning to Supervisor -
Notification of Lead Agency Designation regarding proposed Tim Horton's Restaurant,
6687 Transit Road; comments and recommendation noted. DISPOSITION = Planning
Committee

ADJOURNMENT:

**ON MOTION OF COUNCIL MEMBER AMATURA, SECONDED BY COUNCIL
MEMBER MONTOUR AND CARRIED,** the meeting was adjourned at 8:42 P.M.

Signed


Johanna M. Coleman, Town Clerk